

Message Text

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APPROVED BY L/M:PMCORAN

EUR/CE - MISS S. KLINGAMAN (SUBS)

TREASURY - MR. D. O'CONNELL

JUSTICE - MR. M. STEIN

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P 102127Z SEP 75

FM SECSTATE WASHDC

TO AMEMBASSY BERN PRIORITY

UNCLAS STATE 215455

E.O. 11652: N/A

TAGS: PFOR, CPRS, SZ

SUBJECT: EXTRADITION REQUEST -- HARRY AUGUST STOCK

REF: (A) BERN 3642; (B) BERN 3450; STATE 193190.

1. FOLLOWING IS OUTLINE OF FACTS OF CASE:

(A) STOCK HAD BEEN ARRESTED IN JULY 1970 IN FLORIDA ON CHARGES OF CONSPIRACY TO SELL U.S. GOLD COINS (A NASHVILLE, TENNESSEE WARRANT) AND WAS SUBSEQUENTLY CHARGED IN FLORIDA WITH POSSESSION OF COUNTERFEIT GOLD COINS. HE ENTERED GUILTY PLEAS IN BOTH DISTRICTS (I.E., FLORIDA AND TENNESSEE), RECEIVED A TWO-YEAR SENTENCE ON THE NASHVILLE CHARGES TO BE FOLLOWED BY TWO YEARS' PROBATION ON THE FLORIDA CHARGES. HE WAS RELEASED FROM FEDERAL PRISON DURING FEBRUARY, 1972, AND COMMENCED SERVING HIS PROBATIONARY TIME.

(B) IN MAY 1972, STOCK OFFERED TO SELL GOLD COINS TO MR. KEN REMUNDI, A SELF-EMPLOYED JEWELRY SALESMAN WHO SUSPECTED THE COINS TO BE STOLEN OR COUNTERFEIT. REMUNDI INFORMED THE U.S. SECRET SERVICE AND A PURCHASE OF FIFTEEN UNCLASSIFIED

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GOLD COINS BY REMUNDI FROM STOCK (THEN ALIAS BILL STEIN-

MAN) WAS OBSERVED ON MAY 20, 1972. THE COINS WERE EXAMINED BY A TREASURY EXPERT WHO DETERMINED THE COINS TO BE COUNTERFEIT.

(C) ON JUNE 5, 1972, STOCK WAS ARRESTED AND, AFTER BEING ADVISED OF HIS RIGHTS, MADE A CONFESSION. STOCK STATED HE PURCHASED THE "IMITATION (COUNTERFEIT) U.S. GOLD COINS ..." IN BEIRUT IN MARCH 1972 AND SOLD 260 "TO VARIOUS COIN DEALERS AND COLLECTORS INCLUDING THE FOLLOWING: UNKNOWN PERSON, ASSOCIATE OF MAC'S PAWN SHOP IN ST. PIERCE, FLORIDA; GEORGE HUMPHRIES IN DAYTONA BEACH, FLORIDA...." CONFESSION GOES ON TO LIST VARIOUS NAMES OF

PERSONS AND LOCATIONS. HE STATED, "MOST OF THESE PEOPLE WERE NOT AWARE THE COINS WERE COUNTERFEIT AS I REPRESENTED THE COINS AS BEING 'HOT.'" HE STATES HE RETURNED TO LEBANON IN EARLY MAY 1972 AND PURCHASED MORE COUNTERFEIT U.S. GOLD COINS AND TO WHOM THEY WERE SOLD, INCLUDING KEN REMUNDI, AND THAT THE UNSOLD COINS (114) WERE IN HIS POSSESSION WHEN ARRESTED.

(D) STOCK WAS INDICTED BY GRAND JURY OF SOUTHERN DISTRICT OF FLORIDA, BAIL WAS SET AND HE JUMPED BOND, HAVING FAILED TO APPEAR FOR ARRAIGNMENT ON APRIL 5, 1972.

(E) THE PAPERS CONTAIN A LIST AND DESCRIPTION OF THE COINS OBTAINED FROM THE SALE TO REMUNDI AND THOSE FOUND IN STOCK'S POSSESSION.

2. RE SWISS SUPREME COURT OPINION CITED BY EMBASSY, NEITHER DEPARTMENT, TREASURY NOR JUSTICE CAN COMPREHEND ANY "TREASURY OPINION" ALONG LINES STATED. UNDER THE PRO-

VISIONS OF 31 U.S.C. 392, ALL COINS AND CURRENCY OF THE U.S., INCLUDING GOLD COINS, REGARDLESS OF WHEN COINED OR ISSUED, ARE LEGAL TENDER FOR ALL DEBTS, PUBLIC OR PRIVATE. THEREFORE GOLD COINS MAY BE USED AS MONEY IN PRIVATE TRANSACTIONS OR OTHERWISE AT THEIR FACE VALUE; HOWEVER, THE SUBSTANTIAL EXCESS OF THE NUMISMATIC AND BULLION VALUE MAKE THEIR USE IMPRACTICAL. NONETHELESS SUCH COINS REMAIN LEGAL TENDER IN THE U.S. AND THE U.S. GOVERNMENT WOULD BE UNCLASSIFIED

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OBLIGATED TO EXCHANGE OTHER MONIES FOR THAT COIN.

3. DEPARTMENT PRESUMES COUNTERFEITING CHARGE WILL HOLD. IF FURTHER DIFFICULTIES ARISE, PLEASE CABLE FOR INSTRUCTIONS. KISSINGER

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